

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

1 MICHAEL KIRBY, }
2 Plaintiff, } No. CV-12-190-JLQ
3 vs. } ORDER OF DISMISSAL WITH
4 JAMES MARSHALL and CITY OF } PREJUDICE AND DIRECTING
5 EAST WENATCHEE, } ENTRY OF FINAL
6 Defendants. } JUDGMENT OF DISMISSAL AND
7 } CLOSING OF FILE
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14 Pursuant to the Stipulated Motion to Dismiss With Prejudice (ECF No. 194) and
15 the stated agreement of the Plaintiff and the Defendant City of East Wenatchee, the
16 Motion to Dismiss with Prejudice is **GRANTED**. The court previously granted the
17 parties' Motion for Voluntary Dismissal of the claims asserted in the Second Amended
18 Complaint against Defendant James Marshall. (ECF No. 193).

19 Accordingly, **IT IS HEREBY ORDERED**: the Second Amended Complaint
20 (ECF No. 70) and all remaining claims therein against the Defendants James Marshall
21 and the City of East Wenatchee are dismissed with prejudice and without attorney's fees
22 or costs to any party.

23 The Clerk shall enter this Order, enter Judgment, provide copies to counsel, and
24 **CLOSE THE FILE**.

25 Dated this 10th day of September, 2013.

26 s/ Justin L. Quackenbush
27 JUSTIN L. QUACKENBUSH
28 SENIOR UNITED STATES DISTRICT JUDGE

ORDER - 1